

ARGUMENTS/REMARKS

Favorable reconsideration of this Application, in light of the following discussion, is respectfully requested.

This request for Reconsideration is in response to the Office Action mailed on September 30, 2008. Claims 1-15 and 18 are pending in the Application. Claims 1-15 and 18 are amended.

Summarizing the outstanding Office Action, the claims were rejected for reasons stated in the office action.

Claims 6, 9, 10, 11, 13, 14, 15 and 18 are patentable under 35 USC 112, second paragraph. The Examiner is respectfully reminded that the test for definiteness under 35, USC 112, second paragraph is whether “those skilled in the art would understand what is claimed when the claim is read in light of the specification.” MPEP 2173.02 quoting *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 806 F.2d 1565, 1576, (Fed. Cir. 1986). It is submitted that the meaning of “that each pilot device of the series of fuel gas premixing pilot devices” is self explanatory and is therefore clear to one skilled in the art when read alone or in light of Applicant’s specification. However, Applicant would like to direct the Examiner to, as a non-limiting example, page 7, line 22 through page 8, line 8 and page 9, line 12 through page 12, line 9 to help clarify any misunderstanding the Examiner may have with respect to the claim language.

Claims 1, 6, 7-9 and 11 are patentable under 35 USC 102(b) over Richardson (US 5862668). Claim 1 recites a series of pilot devices configured to premix the fuel gas and create a series of corresponding pilot flames suitable for stabilizing the main central flame itself, each of the series of pilot devices includes a sub-pilot device configured to inject pilot fuel gas into the respective pilot device and produce diffusion flames for stabilizing the pilot flame. At least the sub-pilot device recited in claim 1 is not disclosed or suggested by Richardson.

All that is disclosed in Richardson is that the pilot fuel injection modules 18 are positioned radially inwardly of the main fuel injection modules 17 (Col. 2, L. 57-61); the pilot fuel modules 18 are axially shorter than the main fuel modules 17 (Col. 3, L. 42-45); and that each pilot fuel module 18 is provided with two supplies of liquid fuel through two passages 41, 42 for supplying fuel in two modes of operation (i.e. high power and low power operation) (Col. 3, L. 61 - Col. 4,

L. 21; Col. 5, L. 58 – Col. 6, L. 14). With respect to the operation of the pilot fuel modules 18 Richardson discloses the swirl vanes 37 and 38 of the pilot fuel module 18 ensure that the air flow through the gap 36 is turbulent, thereby in turn providing efficient mixing of the air with liquid fuel exhausted from the orifices 43 (Col. 5, L. 11-40).

Nowhere does Richardson disclose or suggest each of the series of pilot devices includes a sub-pilot device configured to inject pilot fuel gas into the respective pilot device and produce diffusion flames for stabilizing the pilot flame as recited in Applicant's claim 1. Thus, claim 1 is patentable over Richardson.

Claims 6, 7-9 and 11 depend from claim 1 and are patentable at least by reason of their respective dependencies.

Claims 1-3 and 5 are patentable under 35 USC 103(a) over Bonciani (US 5660044) and Richardson. Again claim 1 recites a series of pilot devices configured to premix the fuel gas and create a series of corresponding pilot flames suitable for stabilizing the main central flame itself, each of the series of pilot devices includes a sub-pilot device configured to inject pilot fuel gas into the respective pilot device and produce diffusion flames for stabilizing the pilot flame. At least the sub-pilot device recited in claim 1 is not disclosed or suggested by the combination of Bonciani and Richardson.

The Examiner admits that Bonciani does not disclose the combustion system comprising a series of pilot devices with premixing of the fuel gas which creates a series of corresponding pilot flames suitable for stabilizing the main central flame as recited in claim 1. Thus, Bonciani cannot disclose a sub-pilot device as recited in claim 1. Combining Bonciani with Richardson fails to remedy this defect as Richardson, for the reasons described above with respect to the 35 USC 102(b) rejection, does not disclose or suggest a sub-pilot device configured to inject pilot fuel gas into the respective pilot device and produce diffusion flames for stabilizing the pilot flame. Therefore, claim 1 is patentable over the combination of Bonciani and Richardson.

Claims 2, 3 and 5 depend from claim 1 and are patentable over the combination of Bonciani and Richardson at least by reason of their respective dependencies.

Claims 4 and 18 are patentable under 35 USC 103(a) over Richardson and Goodrich (US 6094904). Claims 4 and 18 depend from claim 1. Richardson does not disclose or suggest all of the features of claim 1 for the reasons described above. Thus, it is submitted that the combination of Richardson and the secondary reference Goodrich cannot as well. Therefore, claims 4 and 18 are patentable over the combination of Richardson and Goodrich at least by reason of their respective dependencies.

Claims 10, 12, 14 and 15 are patentable under 35 USC 103(a) over Richardson, Goodrich and Carberry (US Pub. 2002/0078684). Claims 10, 12, 14 and 15 depend from claim 1. Richardson does not disclose or suggest all of the features of claim 1 for the reasons described above. Thus, it is submitted that the combination of Richardson with the secondary reference Goodrich and the tertiary reference Carberry cannot as well. Therefore, claims 10, 12, 14 and 15 are patentable over the combination of Richardson, Goodrich and Carberry at least by reason of their respective dependencies.

Claim 13 is patentable under 35 USC 103(a) over Richardson, Goodrich, Carberry and Hayashi (US 7143583). Claim 13 depends from claim 1. For the reasons described above, the combination of Richardson, Goodrich and Carberry does not disclose or suggest all the features of claim 1. Thus, it is submitted that the combination of Richardson, Goodrich, Carberry and Hayashi cannot as well. Therefore, claim 13 is patentable at least by reason of its dependency.

Consequently, in view of the above remarks, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance for claims 1-15 and 18 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encourages to contact Applicant's undersigned representatives at the below listed telephone number.

Respectfully submitted,

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